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procedure is essential in the case of every so-called "Wall Street failure." When a stock broker of any considerable business is put into bankruptcy, it is inevitable that his trustee will be deluged with specific claims to all the securities, cash and other quick assets he may find, and many of these claims will sharply conflict with each other. The Bankrupt Act prescribes no time limit for the filing of such claims, the General Orders are silent on this most important point, and the official forms pass it by. But the skill of successive counsel for trustees in the Southern District of New York, where most of such cases occur, has found a way out of this. So the various steps by which all the claimants are, through a proceeding in the nature of foreclosure, compelled to file their claims within a certain time, and prosecute them before the referee sitting as a special master, are pictured in this volume through the forms of petition, rule *nisi*, order and advertisement. The validity of such proceedings has been fully upheld, in the Second Circuit, by a decision whose importance cannot be exaggerated. *In re McIntyre & Co.*¹ The present is the first attempt to give the forms of this kind of proceeding.

This, however, is but one of many good instances. We cannot forbear mentioning, in this connection, the precedents offered for ancillary proceedings where the assets lie scattered over many districts.

A very good feature of this book is that the forms are grouped in logical sequence regarding the successive steps in a bankruptcy proceeding. This idea is in the main so consistently followed as to afford few opportunities for criticism. We might, however, ask why the forms for requiring a bankruptcy trustee, when the plaintiff in a plenary suit, to give security for costs, should appear under the title, "Trustee in Bankruptcy," instead of the more appropriate head of "Complaints in Suits by Trustees" (Title XIII). Whether the precedents under this latter title, indeed, will prove of as much value as the others in this collection is a question. When it comes to forms of bills in chancery and complaints in which the trustee is the plaintiff, we have reached the gate of the bankruptcy domain. The formal allegations of any such bill, setting forth the trustee's election and qualification, and the insufficiency of the estate to pay the proven claims, may well be drawn from these precedents. We may go further and say that a bill to set aside a preferential transfer can be safely cast in the authors' form. But we do not believe that such a thing as a bill to set aside a fraudulent conveyance or secret trust, or to uproot a conspiracy to deceive and defraud creditors, can ever be safely framed on any one set precedent. When we come to such a case, we have stepped from practice to substantive law. Then the bill must follow the windings of the decisions, and not come cold from the mould of any form book, however excellent.

G. G.

DECISIONS, STATUTES ETC. CONCERNING THE LAW OF ESTATES IN LAND. Compiled by JOHN R. ROOD. Second Edition. Chicago: CALLAGHAN & Co. 1909. pp. xv, 447.

This is a collection of material to illustrate the early history of the law of real property. It is made from early land charters, Anglo-Saxon laws, the laws of William and the Henrys, from Bracton and his Note Book, Glanvil and Littleton, and from the Year Books, and

¹(1910) 176 Fed. 552.

the earlier of the reports, with an occasional modern case, and brief notes showing statutory changes in the ancient rules.

The topics chosen for illustration are Estates, Uses and Trusts, Powers, Conditions, Future Interests and the Rule against Perpetuities.

Professor Rood has hit upon an excellent idea in preparing this book for use by his class in the first year course in real property, in connection with Blackstone as a text. The minds of his students ought to be freed from much of the obscurity of certain points by a study and discussion of these concrete illustrations.

It is difficult to criticise a book of this character, but the insertion of *Arundel's Case* (p. 54) and the emphasis on the rule in *Shelley's Case* may be referred to as evidence of good judgment in the selections. One might wish that Dower and Curtesy had been treated more fully. But, on the whole, this is a book which should be of service for the use intended, as well as when reading Blackstone or Digby without the aid of an instructor.

N. A.

BOOKS RECEIVED:

THE LAW OF REAL PROPERTY. By RALEIGH COLSTON MINOR and JOHN WURTS. St. Paul, Minn.: WEST PUBLISHING Co. 1910. pp. lix, 959.

CASES OF THE LAW OF EQUITY JURISPRUDENCE AND TRUSTS. By N. K. ABBOTT. Chicago: T. H. FLOOD & Co. 1909. pp. xi, 1047.

LABOR LEGISLATION IN IOWA. By E. H. DOWNEY. Iowa City: STATE HISTORICAL SOCIETY OF IOWA. 1910. pp. x, 283.

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A TREATISE ON SECRET LIENS AND REPUTED OWNERSHIP. By ABRAM. I. ELKUS and GARRARD GLENN. New York: BAKER, VOORHIS & Co. 1910. pp. xxx, 195.

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HANDBOOK OF INTERNATIONAL LAW. By GEORGE GRAFTON WILSON. St. Paul: WEST PUBLISHING Co. 1910. pp. xxiii, 623.

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CONTRACTS IN ENGINEERING. By JAMES I. TUCKER. New York: MCGRAW-HILL BOOK Co. 1910. pp. xii, 307.

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THE COMMERCIAL POWER OF CONGRESS. By DAVID WALTER BROWN. New York: J. P. PUTNAM'S SONS. 1910. pp. ix, 284.

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THE REVISION AND AMENDMENT OF STATE CONSTITUTIONS. By WALTER F. DODD. -Baltimore:-THE JOHNS HOPKINS PRESS. 1910. pp. xvii, 350.